

protection, the employer is not required to reimburse the employee for the shoes or boots.

(4) The employer is not required to pay for:

(i) Everyday clothing, such as long-sleeve shirts, long pants, street shoes, and normal work boots; or

(ii) Ordinary clothing, skin creams, or other items, used solely for protection from weather, such as winter coats, jackets, gloves, parkas, rubber boots, hats, raincoats, ordinary sunglasses, and sunscreen.

(5) The employer must pay for replacement PPE, except when the employee has lost or intentionally damaged the PPE.

(6) Where an employee provides adequate protective equipment he or she owns pursuant to paragraph (b) of this section, the employer may allow the employee to use it and is not required to reimburse the employee for that equipment. The employer shall not require an employee to provide or pay for his or her own PPE, unless the PPE is excepted by paragraphs (d)(2) through (d)(5) of this section.

(7) This section shall become effective on February 13, 2008. Employers must implement the PPE payment requirements no later than May 15, 2008.

NOTE TO §1926.95(d): When the provisions of another OSHA standard specify whether or not the employer must pay for specific equipment, the payment provisions of that standard shall prevail.

[58 FR 35152, June 30, 1993, as amended at 72 FR 64429, Nov. 15, 2007]

#### § 1926.96 Occupational foot protection.

Safety-toe footwear for employees shall meet the requirements and specifications in American National Standard for Men's Safety-Toe Footwear, Z41.1-1967.

[58 FR 35152, June 30, 1993]

#### §§ 1926.97-1926.98 [Reserved]

#### § 1926.100 Head protection.

(a) Employees working in areas where there is a possible danger of head injury from impact, or from falling or flying objects, or from electrical shock and burns, shall be protected by protective helmets.

(b) *Criteria for head protection.* (1) The employer must provide each employee with head protection that meets the specifications contained in any of the following consensus standards:

(i) American National Standards Institute (ANSI) Z89.1-2009, "American National Standard for Industrial Head Protection," incorporated by reference in §1926.6;

(ii) American National Standards Institute (ANSI) Z89.1-2003, "American National Standard for Industrial Head Protection," incorporated by reference in §1926.6; or

(iii) American National Standards Institute (ANSI) Z89.1-1997, "American National Standard for Personnel Protection—Protective Headwear for Industrial Workers—Requirements," incorporated by reference in §1926.6.

(2) The employer must ensure that the head protection provided for each employee exposed to high-voltage electric shock and burns also meets the specifications contained in Section 9.7 ("Electrical Insulation") of any of the consensus standards identified in paragraph (b)(1) of this section.

(3) OSHA will deem any head protection device that the employer demonstrates is at least as effective as a head protection device constructed in accordance with one of the consensus standards identified in paragraph (b)(1) of this section to be in compliance with the requirements of this section.

[44 FR 8577, Feb. 9, 1979, as amended at 77 FR 37600, June 22, 2012; 77 FR 42988, July 23, 2012]

#### § 1926.101 Hearing protection.

(a) Wherever it is not feasible to reduce the noise levels or duration of exposures to those specified in Table D-2, Permissible Noise Exposures, in §1926.52, ear protective devices shall be provided and used.

(b) Ear protective devices inserted in the ear shall be fitted or determined individually by competent persons.

(c) Plain cotton is not an acceptable protective device.

#### § 1926.102 Eye and face protection.

(a) *General.* (1) Employees shall be provided with eye and face protection